

# The Police "Murder" of Fred Hampton and Mark Clark: The Killing of Two Black Panther Leaders, Chicago, 1969

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## A Trial in Chicago

There is a trial going on in Chicago that is important to all of us. For many months evidence has been emerging that points to the deliberate murder of two young men, Fred Hampton and Mark Clark, and the wounding of others in a police raid on December 4, 1969, in Chicago.

It is crucially important to all of us that the whole truth about this police "murder" should come out. If law-enforcement agencies can plan and carry out the execution of citizens asleep in their beds, then none of us is safe. For more than seven years the facts of this case have been suppressed on various federal and state levels. But, finally, because of this civil suit, the truth is beginning to surface.

## What Really Happened on Dec. 4, 1969

The families of the dead and the survivors of the raid have filed a civil suit charging the police with action taken under the cover of law to deprive the victims of their civil rights. So we are now hearing for the first time what really happened on December 4, 1969. This suit has produced an array of alarming new evidence:

### Offering to Purchase Guns on FBI Orders

A paid informant-provocateur for the FBI, William O'Neal, Jr., purchased rifles and ammunition on FBI orders and with FBI funds while posing as a member of the Chicago Black Panthers.

On instructions from the FBI, O'Neal suggested to the Panthers that they raid an armory for weapons. He offered to provide tools and explosives that the FBI gave him. The Panthers declined the offer.

### The Prior Drugging of Fred Hampton

Another informant testified that the FBI had asked her to drug Hampton on the night of the raid; an autopsy revealed a near-fatal dosage of seconal in Hampton's body — explaining why he never awoke during the raid, but was shot to death in his bed — offering no resistance.

### "Search for Weapons", Knowing that None Were There

The FBI asked the Chicago police to conduct the raid in search of illegal weapons — despite knowing from their own informant, O'Neal, that none existed. The police refused. Then the FBI went to the state's attorney, who agreed to carry

out the raid using the Chicago police assigned to his office.

The FBI furnished the raiding party with a floor plan of the apartment to be raided (supplied by O'Neal) — showing where Hampton and the other occupants would be sleeping.

### "Tommy Who?", said Mark Clark, and He Was Shot

At 4:00 A.M., the police knocked on Hampton's door. Mark Clark came to the door and asked, "Who is it?" A voice replied, "Tommy". "Tommy who?" asked Clark, and those were the last words he ever spoke, for a volley of shots burst through the closed door from police carbines, shotguns, handguns, and even a sub-machine gun.

As the police moved the surviving occupants out of the apartment, past the bullet-riddled body of Hampton, there was a pause. "I saw his big toe move," one policeman said. There was another burst of fire, and another voice said, "He's good and dead now."

### J. Edgar Hoover Ordered a Bonus of \$300 to the Informant

On J. Edgar Hoover's instruction, William O'Neal, Jr. was given a bonus of \$300 for his part in the "successful" raid!!!

I could tell much more of amazing and shocking evidence. These few examples show amply why we are writing to you for help. You may think that because we have come this far, justice cannot be too far away. But, sadly this is not the case. Even as far back as 1971, a Special Commission of Inquiry headed by Ramsey Clark, Roy Wilkins and Herbert Reed told us,

"There can be no possible legal or factual justification for this police use of firearms. There was no "shootout" (as the police claimed)... The systems of justice failed to do their duty."

### The FBI Plot Called COINTELPRO

Not until Watergate, not until the Senate cracked the ice on the top-secret FBI project called COINTELPRO, did the families of the dead and the survivors learn how far-reaching the plot against the Panthers was.

COINTELPRO had as a goal to "discredit, misdirect, and neutralize" the Black Panthers and other dissident groups, using clandestine means. The assassinations of Fred Hampton and Mark Clark are the most flagrant

examples of how far the FBI was willing to go to "neutralize" the Panthers.

Now, the Panthers have been accused of many nefarious acts. But, this is irrelevant. What is relevant is whether all individuals, regardless of what they think, have the right to life and due process of law...the right not to be shot down in cold blood, executed in their sleep.

#### Are the Police to Shoot Us Down . . .

The civil trial in Chicago is one of the last chances we have to try to bring this lawless conduct of law-enforcement agencies to the bar of justice — not only for whatever damages or costs may be obtained — if the suit is successful — but, most importantly, to show that the police, clothed with authority by all of us — cannot shoot down some of us in cold blood with impunity!

#### . . . And the Government Withhold the Evidence of Wrongdoing?

This has been a long and difficult trial, and the costs are staggering. The government has not given up the evidence easily. The FBI was ordered by the court to disclose to the victims' attorneys all of the files which were relevant to the raid. But, when an FBI agent in testimony referred to something that had not been divulged, another 55,000 pages of material was unearthed that the government had intentionally withheld! And, who knows what is yet to be revealed?

The families of the victims have long since exhausted their resources and are relying on the voluntary efforts of dedicated lawyers. They may never recover their costs.

Even with a favorable judgment, they are unlikely to recover all that they have put into this case!

#### Oppression Still: 30 Times a Reasonable Cost for Photocopying

Meanwhile attorneys for the officials being sued are having absolutely no financial difficulties. Taxpayers have already been compelled to pay more than \$1,500,000 towards the defense of these officials! Some \$200,000 alone has gone to provide their lawyers with daily transcripts of the trial, yet lawyers for the victims of the raid have no transcripts, because they cannot afford the \$3.00 per page charge for photocopying!

It is simply outrageous and unbelievable that your tax dollars and mine are being used to suppress the truth.

The Division of Church and Society of the National Council of Churches, of which I am the Administrator, has authorized me to bring this case to your attention. We ask you to contribute as generously as you can to help rectify this festering injustice in the only forum left: the civil suit and appeal (if necessary) in Chicago.

#### Our Appeal for Help

Having come so far, it would be a senseless tragedy if this suit had to be abandoned or any area of evidence neglected because the attorneys could no longer afford to continue. We all have a deep interest in the outcome of this case. We are asking you to help share its costs. Please send your contribu-

ution to the "National Council of Churches Due Process of Law Fund". Every penny, except for the minimal costs of this appeal which has been made possible in large part by volunteers, will go to the costs of this vital legal action.

#### Black Panthers Meeting Violent Death

(Information chiefly from "Black Panthers: the Hard Edge of Confrontation" in Life Magazine, pp. 22-27, Feb. 6, 1970, Vol. 68, No. 4)

1. Spurgeon Winters, 19, shot by police, Chicago, November 1969. Inquest ruled it "justifiable homicide".
2. John Huggins, 23, shot to death, UCLA lunchroom, Los Angeles, October 1969. Rival black militants convicted.
3. Walter Pope, 20, shot by police, Los Angeles, October 1969. Inquest: "justifiable homicide".
4. Alprentice Carter, 26, shot, UCLA lunchroom, Los Angeles, January 1969; rival black militants convicted.
5. Welton Armstead, 17, shot by police, Seattle, October 1969. Inquest ruled it "justifiable homicide".
6. Sidney Miller, 21, shot by storekeeper, Seattle, November 1969; storekeeper was not charged.
7. Fred Hampton, 21, Illinois chairman of the Panthers, shot December 4, 1969, Chicago, in a predawn raid on his apartment. Inquest termed it "justifiable homicide".
8. Mark Clark, 22, shot by police, Chicago, December 4, 1969, in the same apartment, same time. Inquest called it "justifiable homicide".
9. Tommy Lewis, 18, shot by police, Los Angeles, August 1968. Inquest ruled it "justifiable homicide".
10. Sylvester Bell, 34, beaten and shot, San Diego, August 1969; rival black militants have been accused.
11. Bobby Hutton, 17, shot by police, Oakland, CA, August 1968. Grand jury ruled it "justifiable homicide".
12. Steve Bartholemew, 21, shot by police, Los Angeles, August 1968. Inquest ruled it "justifiable".
13. John Savage, 21, shot on San Diego street in May 1969; rival black militant is awaiting trial.
14. Frank Diggs, 40, found shot to death in Long Beach, CA, December 1968. Assailant unknown.
15. Nathaniel Clark, 19, shot by wife, who Panthers say is a police agent, in Los Angeles, September 1969.
16. Larry Robertson, 20, shot by Chicago police, July 1969, died in September. Judged "justifiable".
17. Robert Lawrence, 22, shot by police, Los Angeles, August, 1968. Inquest ruled it "justifiable".
18. Arthur Morris, 28, shot in 1968, Los Angeles gunfight, not involving police. No one was charged.
19. Alex Rackley, 24, tortured, shot, New Haven, CT, May 1969. Panthers are charged with murder.

Note: This table is reprinted with permission from the article "Patterns of Political Assassination: How Many Coincidences Make a Plot?", p. 39 ff., by Edmund C. Berkeley, in "Computers and Automation", September, 1970, copyright 1970 by and published by Berkeley Enterprises, Inc., Newtonville, MA.

The outline of this article was:

1. The Case of the Fifteen Russian Generals
2. The Definition of Conspiracy
3. The Varieties of Conspiracy
4. The Conspiracy of Silence: The Concert of Ideas or Attitudes (please turn to page 4)

# Surveillance Technology - 1976: Preface

Senator John V. Tunney, Calif.  
Chairman, Subcommittee on Constitutional Rights  
Committee on the Judiciary  
U.S. Senate  
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*"High technology, if sequestered beyond the reach of evaluation and criticism, tends to develop its own imperatives, some of them potentially damaging to the larger social good. ... If knowledge is power, then certainly the secret and unlimited acquisition of the most intimate aspects of a person's thoughts and actions conveys extraordinary power over that person's life and reputation to the snooper who possesses the highly personal information."*

In early 1975, soon after I became Chairman of the Senate's Judiciary Subcommittee on Constitutional Rights, I asked the Subcommittee staff to initiate a long-term, comprehensive investigation of the technological aspects of surveillance.

I was concerned about this issue for a number of reasons. First as a Representative and then as a Senator from California, a State known for the number and quality of its high technology centers, I had been exposed for over ten years to the substantial social benefits that derive from our national commitment to innovative technology.

However, as Chairman of the Commerce Subcommittee on Science and Technology and as a member of the Joint Atomic Energy Committee, I was also aware that high technology, if sequestered beyond the reach of evaluation and criticism, tends to develop its own imperatives, some of them potentially damaging to the larger social good, and that "science policy" had gradually disintegrated, becoming an empty slogan, a rhetorical device evoking positive responses but contributing little to the shape of difficult decisions that will profoundly affect the lives of future generations.

My growing sense of unease focused sharply when, as the successor to Chairman Sam Ervin, I assumed major responsibilities for protecting the privacy of individual American citizens. Like many conscientious readers of newspapers and magazines, I had become alarmed about the undeniable and frightening proliferation of technological means to invade a person's privacy, but now I had the duty to act affirmatively.

In commissioning a study of surveillance technology, I reasoned as follows: If knowledge is power, then certainly the secret and unlimited acquisition of the most detailed knowledge about the most intimate aspects of a person's thoughts and actions conveys extraordinary power over that person's life and reputation to the snooper who possesses the highly personal information. And by vastly expanding the range and power of the snooper's eyes, ears and brains, the new technology facilitates and magnifies the acquisition and use of such information. Moreover, as long as surveillance technology remains unregulated and continues to grow at an accelerating rate, the free and enriching exercise of the rights guaranteed by the Constitution and the Bill of Rights will inevitably be chilled to the point of immobility by the general awareness that Big Brother commands the tools of omniscience.

The Subcommittee on Constitutional Rights has held the first three days of a projected series of hearings on the topic of surveillance technology. In one sense the report that follows is a status report; it shows what we have learned about the subject to date, drawing upon our own hearings and investigations and

upon work conducted in other forums. But in another sense this report goes beyond other efforts in the same genre because it represents a first attempt to organize an immense amount of data in a comprehensive and usable format and to provide a framework for future analyses and, ultimately, for the creation of institutional mechanisms that will diminish the threats posed by surveillance technology.

It is appropriate that the Introduction to the report begins with references to the conditions now prevailing in the Soviet Union, for it is my hope that by mobilizing and channeling public debate on the costs and benefits of surveillance technology, we can avoid an inertial drift toward the drabness that characterizes life without privacy and liberty. □

From "Policy and Implications: An Analysis and Compendium of Materials - A Staff Report of the Subcommittee on Constitutional Rights", U.S. Government Printing Office, Washington, 1976, 1279 pages

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which, using hearings and television at the appropriate time, he got down to the bottom of the Water-gate crimes. As a result the American people became informed, and on the basis of that information produced the move for impeachment and the act of resignation of President Richard M. Nixon.

I would like to believe that President Jimmy Carter would issue a statement on the necessity of investigating the assassinations, and that he would help to remove the collisions and the disorder. It would be good if he could fortify the investigation by calling for it as a needed action of Congress. But my current prediction is that he will ignore it, and thereby continue to adjust to the status quo, the intelligence establishments, and the various powers that influence and control the presidency of the U.S.A. — and that allowed him to be elected and to take office. Sometimes a president sees that he dare not see. □

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5. The Argument from Authority
6. The Argument from Tell-Tale Facts
7. The Argument from Statistical Reasoning: Beginning of the Statistical Interlude
8. Calculating the Expected Number of Events
9. Measuring Spread or Scattering
10. Deciding between Pure Coincidence and Definite Correlation
11. Conditions for the Statistical Distribution of Rare Events to Apply
12. The Instrument for Decision: End of the Statistical Interlude
13. Applying the Instrument for Decision to the Case of the Russian Generals
14. The Case of the Political Assassinations in Germany 1918 to 1922
15. The Case of the Black Panthers
16. The Case of the Assassination of the Two Kennedys and Martin Luther King, Jr. □